

Date: August 12, 1991
To: Memorandum to File
From: Richard C. Newbold, Committee Investigator
Subject: Telephone conversation with Anthony Casolaro, MD
concerning the recent death of his brother, Daniel
Casolaro.

On August 12, 1991, at approximately 1:30pm, Committee Investigator Richard Newbold spoke by telephone with Dr. Anthony Casolaro, brother of Daniel Casolaro, a free lance writer working on a story related to the INSLAW matter. Mr. Casolaro was found dead Saturday (August 10, 1991) in a motel room in Martinsburg, West Virginia. The death has been ruled a suicide (Mr. Casolaro's wrists were cut), however, the Martinsburg Medical Examiner's office is conducting an autopsy at this time, the results of which will be available within the next two weeks. According to Dr. Casolaro, a "suicide note" was found with his brothers body.

Dr. Casolaro's telephone number: (703) 573-8440

Dr. Casolaro's address: 8012 Elm Place
Dunn Loring, Virginia

Daniel Casolaro's address: 1162 Pine Tree Drive
Fairfax, Virginia

**Daniel Casolaro's girlfriend: Wendy Weaver
Telephone: (703) 444-5260
Address: 12 Austin Court
Sterling, Virginia

Mrs. Casolaro
(mother of the deceased)
telephone number: (703) 532-1296

On this date Committee Investigator Ned Friece received a telephone call from William Hamilton, the President of Inslaw, Inc, who provided information on the recent death of Mr. Casolaro. Mr. Friece, the press contact for the Committee's Inslaw investigation, had spoken to Mr. Casolaro in the past. The writer also met Mr. Casolaro once, while in Seattle, Washington on official business.

Prior to contacting the Casolaro residence, Mr. Friece spoke with Sgt. Swartword, of the Martinsburg, West Virginia Police Department (304/263-3311). Sgt. Swartword was the name given to Mr. Friece as the officer responsible for handling this matter. Officer Swartword provided some background information to Mr. Friece. He said the incident had been handled as a suicide and the scene had not been protected. Following this conversation, Mr. Friece contacted Dr. Casolaro at his mother's residence, to obtain some general information.

The writer re-contacted Dr. Casolaro for additional information. Dr. Casolaro provided the following:

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36 CFR 1256.58 - Law Enforcement

- o Just prior to my call, Dr. Casolaro said he had received a telephone call from a DEA agent named [REDACTED]. Apparently the deceased had used [REDACTED] as a source on the story he was doing. Dr. Casolaro said [REDACTED] told him "files (created by his brother and stored at his brother's house) need to be gone through by somebody who knows what they are doing." [REDACTED] did not ask to review the records, Dr. Casolaro said. Dr. Casolaro did not know to which DEA office [REDACTED] was assigned. He did say that [REDACTED] told him he was on detail (locally) to "FinCen".
- o Dr. Casolaro also said he had been contacted by Anne Klenk (phonetic spelling), a reporter who works for Jack Anderson. Klenk called about getting access to his brother's records. He said he did not commit to granting Klenk access to his brother's files at this time.
- o Dr. Casolaro said he was trying to get in touch with a family friend (a former Deputy Director of NSA, who may have been working with the deceased on certain aspects of his story). When discussing this individual Dr. Casolaro referred to him as "Art." He wanted to talk with this person before deciding on what to do with his brother's records. He said while with the NSA, Art was a South East Asian expert. Dr. Casolaro seemed to recall that part of the story his brother was working on involved Burma in some way.
- o Dr. Casolaro was asked if he would allow Judiciary Committee investigators access to his brother's records and files. He said that he would. Dr. Casolaro was told that Committee staff would get back with him regarding this review if it were to take place.

- Daniel Casolaro apparently died on Saturday but Dr. Casolaro was not notified until today. He said his brother's body had already been embalmed and the Medical Examiner's office was ready to close the matter. Dr. Casolaro told the Medical Examiner that he wanted an autopsy conducted. Dr. Casolaro commented that he thought it strange he had not been notified of his brother's death until two days after the fact. He couldn't recall the name of the person he spoke with at the Medical Examiner's office but thought it was the Assistant Medical Examiner (304/293-5569).
- Dr. Casolaro said he spoke with his brother this past Monday (August 5, 1991). During this conversation his brother told him that "someone had threatened him again." Dr. Casolaro said his brother stated "somebody else told me I better back off of the story (involving Inslaw/BCCI)." According to Dr. Casolaro, his brother never discussed his work in great detail with anyone but he did tell him bits and pieces now and then.
- Dr. Casolaro recalled his brother telling him "you won't believe what I have in my files," and that he was travelling to Martinsburg, West Virginia to meet with someone on Saturday (August 10, 1991) to corroborate the information. Mr. Casolaro allegedly said "he had all the pieces and this guy (the West Virginia contact) knew all the pieces."
- Dr. Casolaro commented that his brother met last week with Jonathan Beatty (phonetic spelling) from Time magazine about his story. Mr. Beatty was the author of a recent Time piece focusing on BCCI. Dr. Casolaro said this story ran about two weeks ago. Apparently his brother spent about two hours with Beatty.
- Dr. Casolaro also said that his brother met with some people on the "Hill" (Congress) last week. He didn't know who he met with.
- Dr. Casolaro said he was contacted today by Phil Linsolata (phonetic spelling), a St. Louis Post reporter. Linsolata told him "nobody had what Danny had (presumably regarding Inslaw/BCCI)."

- o Dr. Casolaro stated that this morning he also spoke with his brother's housekeeper, Olga LNU. Olga has been taking care of his brother's residence for years, Dr. Casolaro said. Olga told Dr. Casolaro that his brother's house "had not been ransacked." She did comment that there was usually a "stack of typed pages" on the desk in his study. She said these papers were not there now.
- o Dr. Casolaro added that his brother was not in a despondent mood recently. He said his brother called his mother on Friday (August 9, 1991) and told her that he would try to make it to a family outing on Saturday but that he may not get there. This was not unusual behavior for the deceased, according to Dr. Casolaro. He said his brother often would be late for family gatherings or not show at all.
- o Dr. Casolaro commented that the length and focus of the suicide note was also uncharacteristic of his brother. He said it was very brief and didn't sound like something he would write. He said the note stated something to the effect: "I'm sorry, especially to my son." According to Dr. Casolaro, the note is being examined by a handwriting expert to determine authenticity.
- o Dr. Casolaro said his brother had been working with a literary agent in New York City (Mr. Casolaro was writing a book on this story). According to Dr. Casolaro, his brother had provided a 3 page summary ("kind of a teaser") to this literary agent. The agent (identified as Herb LNU) was connected to a firm in New York called Creative Artists. Apparently the deceased had been expecting a \$250,000 advance for this story which never materialized. The agency wanted more information before advancing the money.

On the same date, at approximately 6:30pm, the writer re-contacted Dr. Casolaro for additional information. He provided the following:

- o Dr. Casolaro said he sent some people over to his brother's house to see what they could find (his sister and one other person). He said they found a "fair amount of papers" with some documents referring to a "22 point summary and reference to a \$4 million cancelled check to Khoseghi (phonetic spelling)."

- o Dr. Casolaro said he also spoke again with Olga the housekeeper who told him something very strange. Apparently she was in his brother's house late last week when the telephone rang. He said when she picked up the receiver a male voice said "your dead you bastard" and hung up.
- o Dr. Casolaro said he talked with Jonathan Beatty again (Beatty is the Time reporter who did the story on BCCI). Beatty told Dr. Casolaro that he spoke with his brother last Tuesday or Wednesday and that "there is no way this was a suicide."
- o Dr. Casolaro said he also received another telephone call from DEA agent Bodine. Bodine told him that the Martinsburg, West Virginia police have re-opened the case and have also called in the FBI.
- o When asked if he could provide the name of the NSA contact (the family friend Dr. Casolaro identified earlier) he said he would rather wait until he gets a chance to talk with him first.
- o Dr. Casolaro said he would be able to obtain the name of the New York literary agent (Herb LNU) from his cousin who is coming into town tonight. Apparently Dr. Casolaro's cousin is an author and has used this same agent.
- o According to Dr. Casolaro, his brother had some dealings with a private investigator named McKoy (or McKay). This P.I. apparently was also looking at the Inslaw matter. Dr. Casolaro said his brother jokingly referred to this case as the "Octopus" because of all its tentacles. He said his brother told this P.I. recently that he was "going to meet with the head of the Octopus."
- o Dr. Casolaro said that, according to documents located in his brother's home, Mr. Casolaro met with people in Texas and Arkansas during the course of his work on this story. He said names like Donald Gregg surfaced during this review.
- o Dr. Casolaro said he would keep the Judiciary Committee informed if he learns anything more.



U.S. Department of Justice

Office of the Deputy Attorney General

Associate Deputy Attorney General

Washington, D.C. 20530

February 24, 1994

MEMORANDUM

TO: Walter Dellinger
Assistant Attorney General
Office of Legal Counsel

FROM: *IN* Irvin B. Nathan
Principal Associate Deputy
Attorney General

SUBJECT: Contacts with Represented Persons

In the course of developing regulations governing contacts with represented persons, the issue has arisen of whether the Sixth Amendment right to counsel is implicated if, while a criminal prosecution or a civil penalty proceeding is pending against a corporation, government agents communicate about the subject matter in litigation with a high-ranking corporate executive who is controlling the corporation's litigation strategy, without the consent of the corporation's counsel. You should assume that the underlying corporate conduct in question has concluded, that there is no continuing criminal activity and that there is no allegation of obstruction of justice.

On the criminal side, we are aware of the Kilpatrick case, 594 F. Supp. 1324 (D. Colo. 1984), rev'd on other grounds, 821 F.2d 1456 (10th Cir. 1987), aff'd, 487 U.S. 250 (1988), and wish to know if there are any later precedents and how your office views the likely outcome of litigation that squarely raises the issue. On the civil penalty side, we are particularly interested in the implications of United States v. Halper, 490 U.S. 435 (1989), for the corporation's possible claim of interference with the right to counsel in an action where the potential civil penalties may be viewed as tantamount to a criminal fine.

I would appreciate it if your office would review those issues, determine whether the Sixth Amendment is implicated by such contacts, and suggest what, if any, precautions should be taken.

cc: Mary Jo White
NW: 15457 DocId: 70002069 Page 6

MEMORANDUM
September 28, 1992

TO: File
FROM: John Cohen
RE: Contact with John Connolly

Today, I was contacted by John Connolly, a former New York Police Department homicide detective who is now an investigative journalist. Based on earlier conversations with Connolly, I am aware he is investigating the death of Danny Casolaro. Connolly said he has uncovered information that leads him to conclude that Daniel Casolaro was murdered. Connolly says he located a maid who first found Casolaro's body. The maid told him that she had located and pointed out to the police two blood soaked towels that had been stuffed under the sink in Casolaro's hotel bathroom. The maid told Connolly that it was obvious someone had used the towels to wipe up blood from the tile on the bathroom floor. The maid further stated that when she went into the room, the wiped up blood was still visible on the floor. Connolly said that this fact has never been reported or acknowledged by the Martinsburg Police Department, and that it would have been physically impossible for Casolaro to have slit his wrists, wipe up the blood off the bathroom floor, stuff the towels under the bathroom sink, and then get in the bathtub and bleed to death.

MEMORANDUM TO FILE
SUBJECT: ROBERT BOOTH NICHOLS
DATE: JANUARY 21, 1992
PREPARED BY: NED FRIECE

BACKGROUND

During the interview of Michael Riconosciuto on April 4, 1991, he stated that Robert Booth Nichols could provide additional information concerning the activities at the Cabazon Indian reservation and the conversion of the PROMIS software. Several attempts were made at that time to locate Nichols, however contact was not made.

Following the interview of Riconosciuto I ask Bill Hamilton about Nichols. He stated that he too had been told by Riconosciuto that Nichols had information that related to PROMIS software, however he had not been able to contact him. At some point Danny Caselaro contacted the Hamiltons advising that he was in contact with Nichols and that he was providing valuable information concerning the PROMIS software. Between April and August Hamilton had numerous conversations with Nichols. At one point Nichols allegedly told Hamilton that he could find the answers to their problems. He ask Hamilton for \$25,000 to complete the work, Hamilton tried to convince him to obtain the information without the "up-front" money. Hamilton believes that Nichols has access to the information and is a valuable source.

Hamilton stated that Riconosciuto and two separate magazine articles identified Nichols as Caselaro's main source for his investigation of the PROMIS software theft and conversion. Further hamilton alleges that Nichols called him before Caselaro's death advising the he (Caselaro) was going to be in trouble if he continued his investigation.

DECEMBER 1991

In mid-December I made contact with Nichols. During the telephone conversation I ask him if he would be available for an interview. At that time he stated he would be willing to meet with Committee investigators and provide a sworn affidavit denying all allegations brought forth in Riconosciuto's deposition. Nichols confirmed that he knew Riconosciuto as a result of working with him at the Cabazon Indian Reservation in the early 1980's. He stated that he was hired by John Nichols to work with Riconosciuto on the "joint venture", however their association only lasted approximately six months. He stated that to his knowledge no work of any kind being done on the reservation related to the PROMIS software. Nichols said that he had never heard of the software until being contacted by Hamilton. Concerning Caselaro, Nichols said that he acted as a "sounding board" for Caselaro providing direction as to areas that might provide some insight into the Inslaw/PROMIS matter.

At the conclusion of the telephone conversation Nichols requested that his associate Peter Zucowsky also be present during the interview. He said that Zucowsky had also known Riconosciuto and could provide additional information that would discredit the statements made concerning Nichols. Arrangements were made to conduct an interview and obtain a sworn statement from both individuals during the week of January 6, 1992. I informed Nichols that I would contact him on January 2, 1992 to confirm the interview, I requested that our conversation not be discussed with anyone.

JANUARY 1992

On January 2, 1992, I contacted Nichols advising him that Committee investigators would travel to California as planned. At that time Nichols stated he "hoped" that the interview would occur, because in the past the interviews were canceled. I assured Nichols that the interview would take place as scheduled. Before the conversation concluded Nichols stated that Zucowsky would provide the Committee documentation relating to Riconosciuto. However he would not discuss the documents at this time. I also ask Nichols not to discuss our conversation. Later that day I contacted Hamilton concerning Nichols. My purpose of the contact was to obtain additional background for the interview. At that time Hamilton told me that Nichols had called him advising that the Committee was going to interview both he and Zucowsky.

On January 6, 1992, a decision was made to postpone the trip. I called Zucowsky advising that the trip was being postponed. The following day Nichols called asking why the trip was canceled. I informed him that the Committee had other business that needed to be addressed and that I would contact him later to confirm a date for the interview. At this time I requested that he not discuss our plans with anyone.

On January 7, 1992, I received a call from John Littman, a reporter with the San Francisco Chronicle. Littman asked me to confirm or deny that the Committee was attempting to cover-up the Inslaw matter. I ask Littman what the source was for his question and was told that Robert Nichols had called the previous day telling him about our canceled trip. Further, Littman stated that Nichols stated that he believed that the Committee was attempting to cover-up the results of its investigation. Later David Vesey, CNN, called stating that Nichols had contacted him relating that the Committee was ending its investigation.

LIST OF TELEPHONE CONTACTS SINCE CASOLARO'S DEATH

NO CONVERSATIONS WERE HELD UNTIL IT WAS UNDERSTOOD THAT ANY COMMENT WAS OFF THE RECORD AND WITHOUT ATTRIBUTION TO NF OR THE COMMITTEE

DATE: AUGUST 12, 1991

NF contacted the Martinsburgh P.D. to verify the death of Casolaro.

See August 12, 1991 Memo To File prepared by Rick Newbold detailing the Committee's action on this date

PAUL OWENS reporter for the Morning Journal Matinsburgh WV. Telephone (304) 263-3383 FAX (304) 263-8058. NF told reporter that the Committee became aware of the death at approximately 11:30 am and that the Committee's interest in the matter was the Inslaw investigation. NF provided a historical background of the investigation. No specifics as to what had or had not been developed was provided.

VIRGINIA McCULLOUGH a freelance reporter/author called advising of Casolaro's death. She has contacted the Committee before with information that was already known. The majority of her information is hearsay and information that is generated by Hamilton.

STEPHANIE SAUL, reporter for NEWSDAY, telephone (202) 626-8473, wanted to know if the Committee had heard about the death of Casolaro's. She is known to the Committee and has spoken several times to NF and JL concerning the Inslaw investigation. Requested that she be advised if the Committee decides to become involved in the Casolaro matter.

DATE: AUGUST 13, 1991

ALLEN BOYACK, attorney allegedly representing Michael Riconosciuto, (801) 628-2676, asking about our interview with Riconosciuto. NF provided no information. (Learned latter that he is an attorney and was acting as consultant to JOHN CRAWFORD, attorney of record. Crawford dismissed him because his actions indicated that he was trying to put Riconosciuto in a "box").

CARLTON SMITH, reporter, SEATTLE TIMES, telephone (206) 464-2253, called wanting background of the Committee's investigation of Inslaw. Ask for information concerning the Casolaro matter, NF made it clear that the Committee was not investigating this matter. NF told him about the December 5, 1990, hearing, a copy was requested and forwarded.

BONAR MENNIGER, free lance reporter, Kansas City, KS, telephone (816) 822-2401--FAX (816) 333-1992, called concerning Casolaro's death and asked what the Committee involvement would be. NF informed him that the Committee was not investigating the matter and had no information other than what had been carried in the news service. He ask other questions concerning the results of our investigation, NF refused to provide him with any information.

DATE: AUGUST 14, 1991

BOB FRANKEN, HOUSE CNN REPRESENTATIVE, Called for general background on the Committee's Inslaw investigation. Franken has been following the investigation. Franken's report was featured on CNN on August 15.

VIRGINIA McCOLLOUGH, free lance reporter, called advising that she had received information that a BILL TURNER(703-667-3003) had a meeting with Casolaro from 5:00 to 6:00 pm on FRIDAY AUGUST 9, 1991. I have not followed up on this because of the events that have been occurring and the Chairman's desire to stay in the background.

DATE AUGUST 15, 1991

VIRGINIA Mc COLLOUGH called, advised she had been contacted (8-14-91) by a private investigator, FRANK BINDLEY (800) 722-9363-(717) 646-2106, HC-88, PO BOX 5501, POCONO LAKE, PA 18347. Brindley offered to help in her investigation of the Inslaw matter. Brindley called on this date and told her that he had been stopped by to CIA agents and advised to stay out of the Casolaro matter. No contact has been made with this individual.

DON DE VEREUX, reporter Phoenix Times, (602) 995-8789, called advising he had been contacted by Casolaro about two weeks before his death. Purpose of the call was an article DeVereux had written concerning the sale precious metals. (?)

WYATT ANDREWS, CBS, (202) 457-4385, called for information. Referred to Bob Brink for response.

TARA SHINESHEAR, ABC NIGHTLINE, 887-7360 OR 887-7777. TAt=ra called DF advising that they had control of the documents. Nightline is cataloging the documents and hold for review by TED KOPEL. The documents will be returned to Cassolaro's brother on 8/19/91. There is not much information in the documents that relates to Inslaw. Tara said she is considering telling the family to turn the documents over to the authorities because of the information contained there-in.

ANTHONY CASOLARO talked with RN and advised the committee could review the documents when returned.

DATE AUGUST 16, 1991

ANTHONY CASOLARO called NF today asking for advice of what to do with the documents after they have been reviewed by the Committee. Indicated that he would give them to NF if requested. While on the phone Casolaro received a call from Elliot Richardson (best guess is that Richardson will take control of the documents).

DATE: AUGUST 19, 1991

TARA SHINSHEAR, NIGHTLINE, contacted concerning the Casolaro documents. She was reluctant to have Committee investigators come to her office to look at the documents. Also stated that she has concerns that the Committee was not being as open as had been promised in their meeting with JL and DF in March(?). She wanted assurances that the Committee would not leak information that they had provided documents to the Committee. NF told her that we had been living up to the agreement and that he wanted the assurance that NIGHTLINE would not tell anyone that we had come to their office to look at the documents.

DATE: AUGUST 20, 1991

Discussed NIGHTLINE proposal with Bob Brink. He advised that further contact should not be made until JY could be involved.

TONY CASOLARO called. Advised that he was going to meet with the Martinsburgh PD on August 21 to obtain information about the investigation and supposedly find out what was with the body when it was discovered. NF ask that the Committee be informed of what the results of the conversation were before any information was given to the media. Casolaro agreed and has maintained his initial agreement not to mention our contacts with the family.

DATE: AUGUST 21, 1991

Discussed the document situation with JY. It was agreed that the Committee would first try to get Casolaro to bring the documents to the Hill. If that was not possible then consideration would be given to going to NIGHTLINE.

DATE: AUGUST 22, 1991

DRUMOND AYERS NEW YORK TIMES 862-0316 called requesting information concerning our involvement in the investigation of Danny Casolaro's death and background information concerning the Committee's INSLAW investigation. NF referred to JY after first discussing his request. JY called at approximately 4:00 pm and provided background.

DATE: AUGUST 22, 1991

MARILYN BALAMACI PEOPLE MAGAZINE 88611-4089 called requesting that the Committee provide information concerning the validity of

information provided by Michael Riconosciuto and the Hamiltons. NF discussed the matter with JY. A return call was made and Balamaci was told that it is not the Committee's policy to discuss an ongoing investigation. She was informed that at the time the results of the investigation are made public the Committee will discuss its investigation.

DAVID PERCALAY, JACOBS & GERBER TV PRODUCTIONS 213-655-4082 called requesting that NF provide information from an investigator's point of view concerning the investigation of INSLAW as related to the Casolaro death. Referred to JY.

PREPARED BY NED FRIEZE

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